

Item\_\_\_\_\_

Prepared by ERMA HOLMES

Commissioner\_\_\_\_\_

Approved by\_\_\_\_\_

RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE  
IMPROVEMENTS TO THE WALNUT GROVE HALL/ROAD PD, PHASE 4,  
(P.D. 01-305 CC) AND AUTHORIZE RECORDING OF THE PLAT

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WHEREAS, DM RESTAURANTS, INC., is the owner and developer, of certain land labeled as WALNUT GROVE/HALL ROAD PD, PHASE 4, (P.D. 01-305 CC) the final plan for which was approved by the County Engineer; and

WHEREAS, DM RESTAURANTS, INC., has decided to open up and improve said land and to that end secure the required approval of the County of Shelby; and

WHEREAS, DM RESTAURANTS, INC., has agreed to the terms and conditions of the necessary and required construction agreement in accordance with the current policies of Shelby County for the development of subdivisions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That WALNUT GROVE/HALL ROAD PD, PHASE 4 (P.D. 01-305 CC), final plan is hereby approved and the Mayor is hereby authorized to execute the Agreement on behalf of Shelby County, Tennessee, and said Agreement provides for the improvements to WALNUT GROVE/HALL ROAD PD, PHASE 4, (P.D. 01-305 CC), and agrees to the terms and conditions required by and in accordance with the current development of subdivisions.

BE IT FURTHER RESOLVED, That Article III, Section 3.06 (c) of the Shelby County Charter allows the County Mayor to assign or delegate certain duties and functions, and Section 3.06 of the aforementioned Charter states that "any function or duty may be assigned or re-assigned by the County Mayor to a major division of County Government".

BE IT FURTHER RESOLVED, That in the absence of the County Mayor, the Director of Public Works be, and the same is hereby authorized to authorize the recording of the plat for the said WALNUT GROVE/HALL ROAD PD, PHASE 4, (P.D. 01-305 CC).

BE IT FURTHER RESOLVED, That this action is subject to City approval.

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A C Wharton Jr., Shelby County Mayor

Date\_\_\_\_\_

ATTEST:

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Clerk of County Commission

ADOPTED:\_\_\_\_\_